RCE, Amendment C, Response to Office Action dated 14 September 2009, and Supplemental IDS

14 December 2009

IN THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the present application.

- 1. (Currently amended) A method for preventive treatment of Parkinson's disease, comprising
 - (a) identifying a subject without clinically confirmed Parkinson's disease (i) without symptoms of Parkinson's disease but with an increased risk of developing Parkinson's disease, or (ii) with early symptoms of Parkinson's disease but not exhibiting, other than to a rudimentary or partial degree, at least three of four cardinal symptoms of Parkinson's disease, said symptoms being rigor, resting tremor, bradykinesia and postural instability; and
 - (b) administering to the subject rotigotine a compound of the general formula

wherein:

n is 1 to 5;

R2 is OA:

R3 and R4 are each independently selected from H and OA; with A being selected from H, alkyl, alkoxymethyl or a group

wherein R6 and R7 are independently alkyl or aryl;

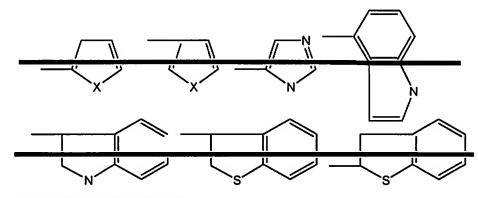
R5 is C₁₋₃-alkyl;

R1 is a group selected from hydrogen, 3-pyridyl, 4-pyridyl, optionally substituted phenyl,

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wherein-X is S, O or NH;

wherein the compound is present as a racemate or as a pure (R) or (S) enantiomer; or a physiologically acceptable salt of said compound thereof.

- 2. (Canceled)
- 3. (Currently amended) The method of Claim 1, wherein the subject is an individual with early symptoms of Parkinson's disease but not exhibiting, other than to a rudimentary or partial degree, at least three of the four eardinal symptoms of Parkinson's disease, said symptoms being rigor, resting tremor, bradykinesia and postural instability, said individual displaying more than has at least one clinical symptom selected from the group consisting of an olfactory disorders disorder, depression, a sleep disorders disorder of the "REM behavior disorder" type, constipation and a short-term movement anomalies anomaly.
- 4. (Currently amended) The method of Claim 1, wherein the subject displays a mutation in a PARK gene and/or <u>a modifications modification</u> to [[the]] alpha synuclein or neuromelanin pattern.
- 5. (Canceled)
- 6. (Canceled)
- 7. (Canceled)
- 8. (Canceled)
- 9. (Canceled)

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- 10. (Canceled)
- 11. (Canceled)
- 12. (Canceled)
- 13. (Canceled)
- 14. (Currently amended) The method of Claim 1, wherein the subject displays a dopaminergic cell loss in [[the]] substantia nigra of less than 60% before administering rotigotine commencement of the administration.
- 15. (Currently amended) The method of Claim 1, wherein the subject has a UPDRS motor score of less than 10 before administering rotigotine commencement of the administration.
- 16. (Previously presented) The method of Claim 1, wherein the subject has a Hoehn-Yahr score of 0 or 1.
- 17. (Currently amended) The method of Claim 1, wherein the compound rotigotine is administered parenterally, transdermally or mucosally.
- 18. (Currently amended) The method of Claim 1, wherein the compound rotigotine is administered in a dose of 0.05 to 50 mg per day.
- 19. (Withdrawn) A kit for diagnosis and treatment of Parkinson's disease, comprising
 - (a) a diagnostic agent that enables a diagnosis of Parkinson's disease and/or a predisposition to develop Parkinson's disease at an early or asymptomatic stage;
 and
 - (b) a pharmaceutical formulation comprising a compound of the general formula

wherein:

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n is 1 to 5;

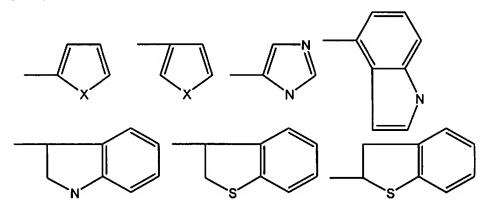
R2 is OA;

R3 and R4 are each independently selected from H and OA; with A being selected from H, alkyl, alkoxymethyl or a group

wherein R6 and R7 are independently alkyl or aryl;

R5 is C_{1-3} alkyl;

R1 is a group selected from hydrogen, 3-pyridyl, 4-pyridyl, optionally substituted phenyl,



wherein X is S, O or NH;

wherein the compound is present as a racemate or as a pure (R)- or (S)-enantiomer; or a physiologically acceptable salt of said compound.

- 20. (Withdrawn) The kit of Claim 19, wherein the diagnostic agent (a) comprises
 - (i) an agent or a diagnosis kit for detecting neuromelanin;
 - (ii) an agent or a diagnosis kit for detecting semaphorin 3;
 - (iii) an agent or a diagnosis kit for detecting alpha-synuclein and/or its aggregates; or
 - (iv) an agent or a diagnosis kit for genetically detecting a mutation associated with the appearance of Parkinson's disease and/or an allele associated with the more frequent appearance of Parkinson's disease.
- 21. (New) The method of Claim 1, wherein the subject has one, two or three symptoms selected from the group consisting of rigor, resting tremor, bradykinesia and postural

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instability, to a partial degree.

- 22. (New) A method for preventive treatment of Parkinson's disease, comprising
 - (a) identifying a subject without any of four cardinal symptoms of Parkinson's disease but having an increased risk of developing Parkinson's disease; and
 - (b) administering to the subject rotigotine or a physiologically acceptable salt thereof.
- 23. (New) The method of Claim 22, wherein the subject displays a mutation in a PARK gene and/or a modification to alpha synuclein or neuromelanin pattern.
- 24. (New) The method of Claim 1, wherein the subject displays a dopaminergic cell loss in substantia nigra of less than 50% before administering rotigotine.